

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re : **Chapter 11 Case No.**
:
LEHMAN BROTHERS HOLDINGS INC., et al. : **08-13555 (JMP)**
:
Debtors. : **(Jointly Administered)**

X

**JOINT NOTICE OF PARTIAL WITHDRAWAL OF CLAIM AND WITHDRAWAL OF
RELATED SUBPOENA ISSUED PURSUANT TO ORDER GRANTING THE DEBTORS
AUTHORITY TO ISSUE SUBPOENAS FOR THE PRODUCTION OF DOCUMENTS
AND AUTHORIZING THE EXAMINATION OF PERSONS AND ENTITIES**

Reference is made to proof of claim number 27880 (“Claim 27880”) filed against Lehman Brothers Holdings Inc. (“Lehman”) by Swiss Re Global Markets Limited (“Swiss Re”) on September 22, 2009 in an amount no less than \$6,051,196.98, as set forth therein. Swiss Re transferred \$6,051,196.98 of Claim 27880 to Deutsche Bank, AG, London Branch (“DB”) as evidenced in the Transfer of Claim Notice filed in Lehman’s chapter 11 cases on March 2, 2010. [ECF No. 7350]. DB transferred \$1,000,000 of Claim 27880 to King Street Acquisition Company, L.L.C., (“KSAC”) (such portion of Claim 27880, the “KS Claim”), as evidenced in the Transfer of Claim Notice filed in Lehman’s chapter 11 cases on July 14, 2010. [ECF No. 10174]. KSAC represents and warrants that as of the date hereof, KSAC has not sold, assigned or transferred the KS Claim.

PLEASE TAKE NOTICE that, through its undersigned counsel, KSAC hereby withdraws with prejudice the KS Claim and KSAC authorizes Epiq Bankruptcy Solutions LLC to update the Lehman claims register accordingly. This notice and the withdrawal of the KS Claim (a) shall not affect any portion of Claim 27880 other than the KS Claim, and no portion of Claim 27880 other than the KS Claim shall be withdrawn by this notice and

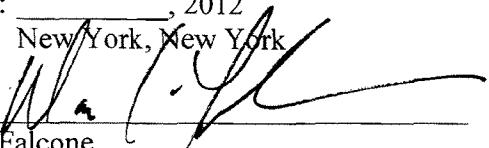
withdrawal; and (b) nothing herein constitutes a waiver, release, modification, amendment or withdrawal of any other proofs of claim or claims (as defined in section 101 of the Bankruptcy Code) filed or held by KSAC or any of its past, present and future affiliates (including, for the avoidance of doubt, KSAC's manager, the funds and investment vehicles managed by KSAC's manager from time to time and each of their respective affiliates), successors and assigns, and its members, officers, directors, partners, principals, agents, employees, representatives, and administrators (collectively, the "KSAC Parties"), against Lehman or any of Lehman's affiliates in these chapter 11 cases or any other case under any other chapter of the Bankruptcy Code, or any other domestic or foreign proceedings affecting Lehman and its affiliates, including, for example, the liquidation of Lehman Brothers Inc. under the Securities Investor Protection Act of 1970, as amended, 15 U.S.C. §§ 78aaa *et seq.*, in the case captioned *Securities Investor Protection Corp. v. Lehman Brothers Inc.*, No. 08-CIV-8119 (S.D.N.Y. Sept. 19, 2008), as removed, *In re Lehman Brothers Inc.*, Case No. 08-01420 (JMP) SIPA (Bankr. S.D.N.Y. 2008), and all such claims and proofs of claim are fully reserved and unaffected by this notice of withdrawal. KSAC's undersigned counsel is authorized to submit this notice of withdrawal on behalf of KSAC, and KSAC represents and warrants that the withdrawal of the KS Claim is within its limited liability company powers, has been duly authorized by all necessary action, and will not contravene any constitutional document or other instrument or agreement binding on it, or any law, regulation, judgment, order or administrative action binding on it.

PLEASE TAKE FURTHER NOTICE that Lehman hereby withdraws with prejudice the subpoena served upon KSAC on November 12, 2012, the issuance of which was noticed in a filing with the Court on November 15, 2012. [ECF No. 32101]. Lehman has agreed

not to seek any further discovery or disclosure in connection with the KS Claim or any further disclosure or discovery from the KSAC Parties in connection with Claim 27880.

Dated: _____, 2012

New York, New York



Marc Falcone
PAUL, WEISS, RIK FIND, WHARTON &
GARRISON LLP
1285 Avenue of the Americas
New York, New York 10019
Telephone: (212) 373-3000
Facsimile: (212) 757-3990

*Attorneys for King Street Acquisition
Company, L.L.C.*



Robert J. Lemons
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153
Telephone: (212) 310-8000
Facsimile: (212) 310-8007

*Attorneys for Lehman Brothers Holdings Inc.
and Certain of Its Affiliates*